

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE #

ROW #

C15-2011-0109

10651120

TP-0216110305

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 1303 Wilshire Blvd

LEGAL DESCRIPTION: Subdivision – Wilshire Wood Section One

Lot(s) 5 Block 7 Outlot Division

I/We Brian Moore on behalf of myself/ourselves as authorized agent for

Laurie Rich affirm that on September 13, 2011,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

Change the variance that was given back in September 2009 in which the description of the variance did not match the actual drawings that were submitted. The written portion of the variance called for the setback to be moved from the 5' build line to a new build line of 2'. The drawings that were submitted showed the new build line to be 1 - 6 at the center of the post from the property line. The reason for the new variance is to match the existing built carport with the designs that were submitted back in September 2009. Upon starting the project and going off of the drawing that were submitted, the new carport sets off the property 1 - 7 at the center of the post. The working drawings that I am using are the one given to me by the architect after the first variance was passed. If the new carport would have been constructed using the 2' set back then the access getting into the carport area would be very tight between the house and wood column. The roof design and shingle color will still match the existing style and color as the main house.

in a Upper Boggy Creek district.
(zoning district)

1'2" from
outside
edge of
post

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

A carport in the back yard is allowed in SP3, but because of the location of the house on the property there is not enough room for the width of a car if all parts of the carport must be held back 5' from the PL. The house is 12' from the PL as shown in the plans

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

The location of the pre-existing garage which is used as an art studio and is unavailable for parking and the house does not allow enough space to create a carport that one can safely drive in and out (backing up) of without endangering the columns.

- (b) The hardship is not general to the area in which the property is located because:

This is a unique physical situation on a unique lot

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

It is in the backyard not visible to anyone except the neighbors and even then the simple flat roofed carport conforms to the look and period of the neighborhood (60 – 70's ranch)

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Brian Moore Mail Address 11008 Centennial Trail

City, State & Zip Austin, TX 78726

Printed Brian Moore Phone 512-748-2972 Date 10-13-11

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Laurie Rich Mail Address 1303 Wilshire Blvd.

City, State & Zip Austin, TX 78722

Printed Laurie Rich Phone 512-906-9444 Date 10-13-11



SUBJECT TRACT



ZONING BOUNDARY

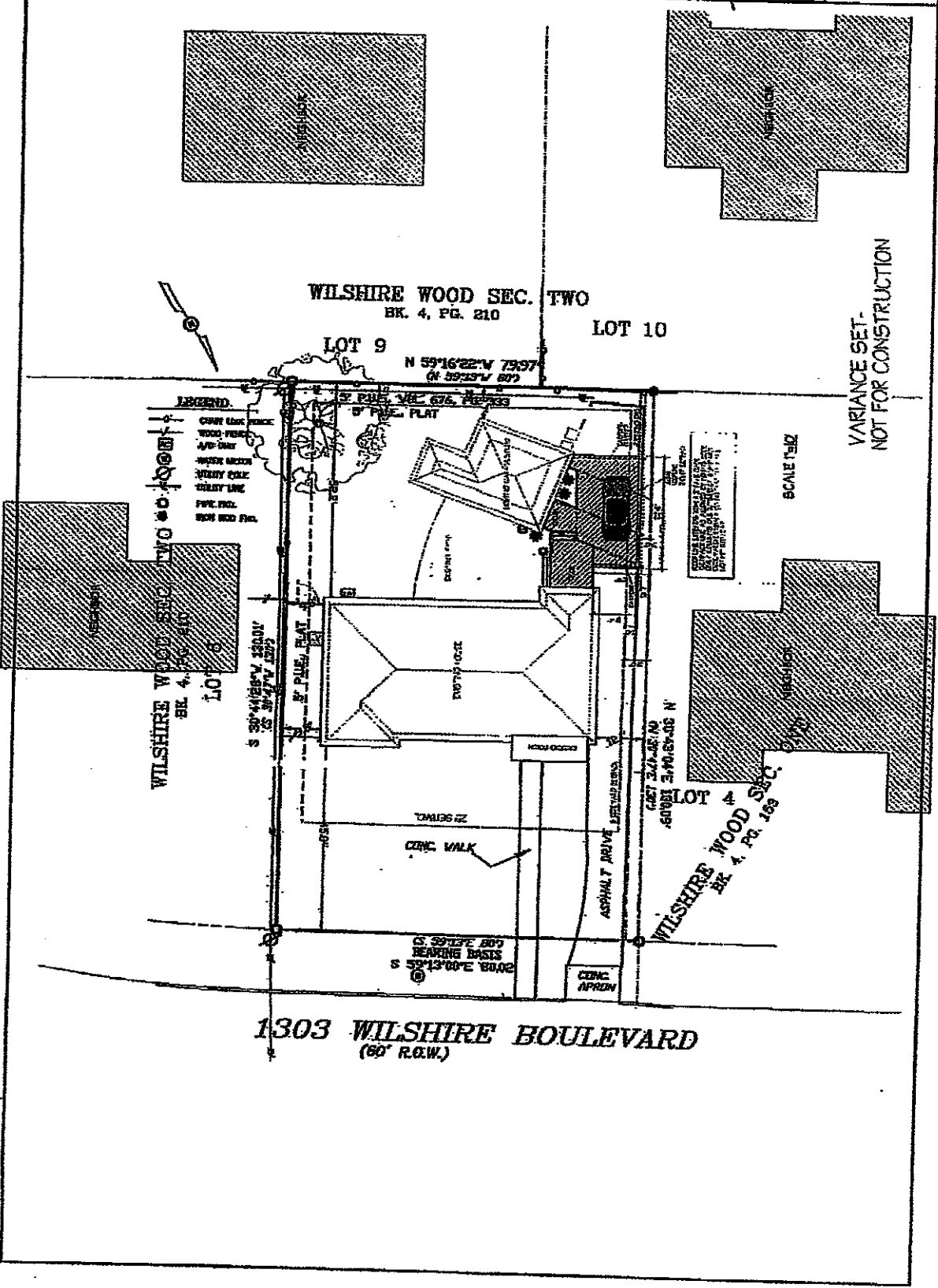
BOARD OF ADJUSTMENTS

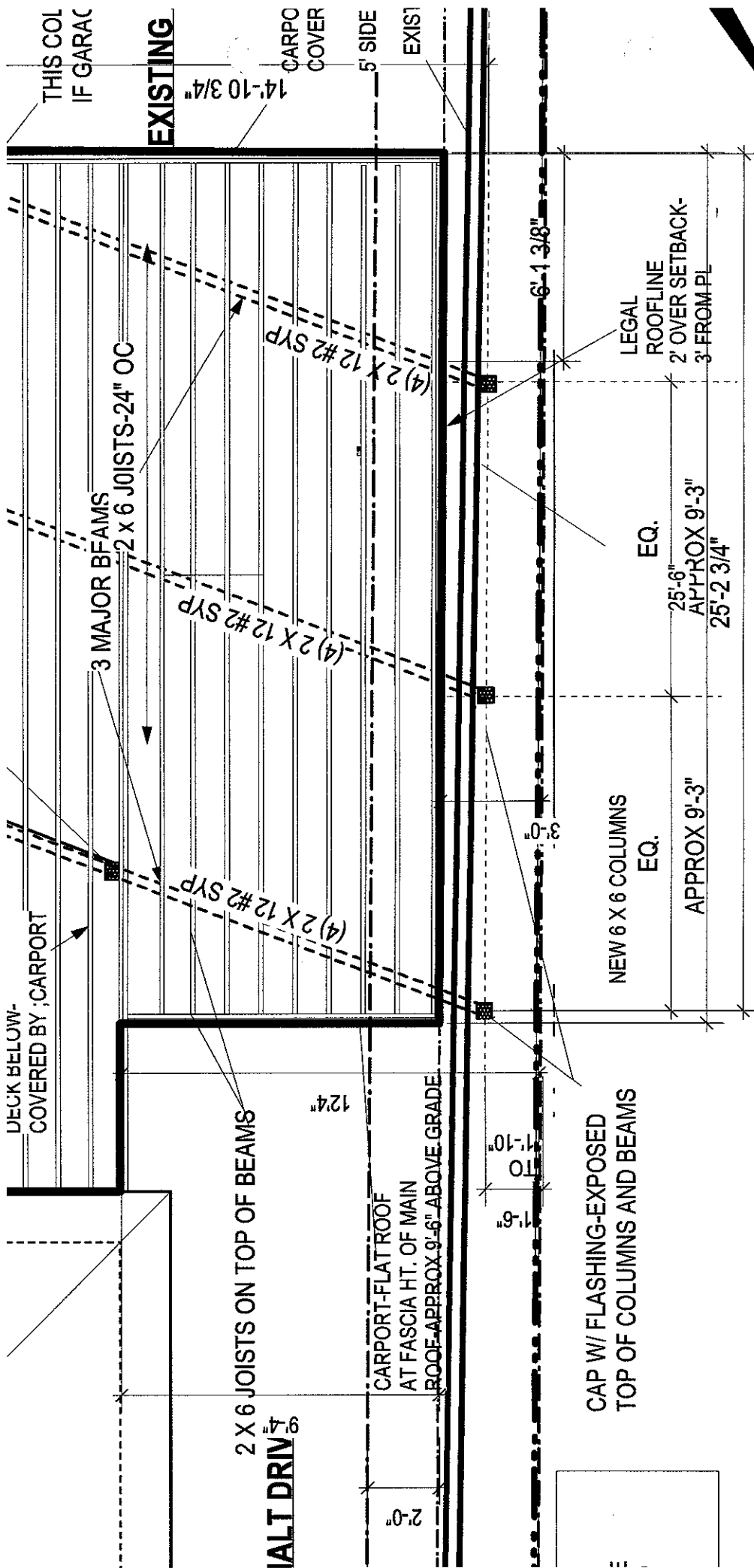
CASE#: C15-2011-0109
 LOCATION: 1303 WILSHIRE BLVD
 GRID: K24 & K25
 MANAGER: SUSAN WALKER



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

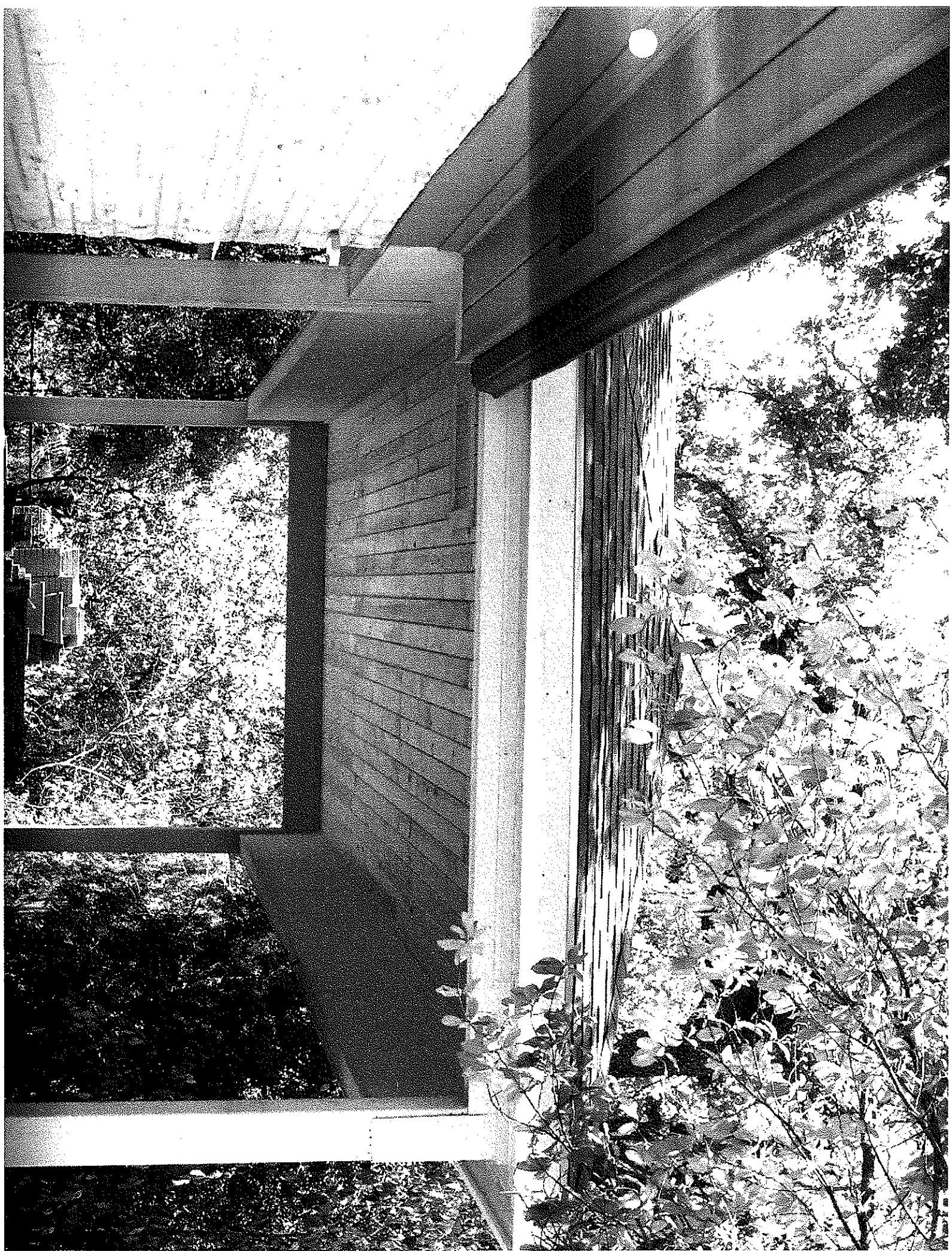
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CARPORT PLAN

1





CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, September 14, 2009

CASE NUMBER: C15-2009-0087

☒ Y Jeff Jack
☒ Y Michael Von Ohlen (**Motion to APPROVE**)
☒ Y Clarke Hammond
☒ Y Bryan King
☒ Y Leane Heldenfels, Vice-Chairman
☒ Y Dorothy Richter
☒ Y Nora Salinas (**2nd the Motion**)

APPLICANT: TIMOTHY CROSS

OWNER: Laurie, Rich

ADDRESS: 1303 WILSHIRE BLVD

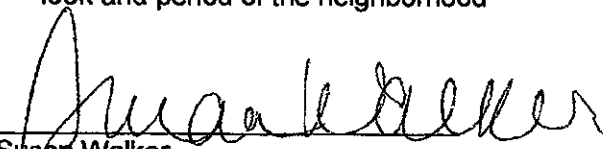
VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 2 feet in order to erect a carport for a single-family residence in an "SF-3-NP", Family Residence - Neighborhood Plan zoning district. (Upper Boggy Creek)


BOARD'S DECISION: MOTION TO APPROVE BY BOARD MEMBER VON OHLEN, SECONDED BY BOARD MEMBER SALINAS; VOTE 7-0; GRANTED WITH CONDITIONS, ADD GUTTERS AND CARPORT TO REMAIN OPEN ON ALL SIDES

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: carport in the back yard is allowed in SF3, but because of the location of the house on the property, there is not enough room for the width of a car if all parts of the carport must be held back 5' from the property line, the house is 12' from the property line as shown in plans
2. (a) The hardship for which the variance is requested is unique to the property in that: location of the pre-existing garage (which does not allow enough space to create a carport that one can safely drive in an out without endangering the columns

(b) The hardship is not general to the area in which the property is located because: this is a unique physical situation on a unique lot
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: it is in the back yard not visible to anyone except the neighbors and even then the simple flat roofed carport conforms to the look and period of the neighborhood


Susan Walker
Executive Liaison


Leane Heldenfels
Chairman

*Previous
Decision
Sheet*

Previous

Variance Appl.

CITY OF AUSTIN

APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

CASE #

C15-2009-0087

ROW 10326435

TP 0216110305

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 1303 Wilshire Blvd. Austin, Texas 78722

LEGAL DESCRIPTION: Subdivision - Wilshire Wood Sec. One

Lot(s) 5 Block 7 Outlot _____ Division _____

I/We Timothy Cross on behalf of myself/ourselves as authorized agent for

Laurie Rich affirm that on July 10, 2009,

hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN

Erect a carport at the end of the driveway as shown in the plan. The carport roof will adhere to the current zoning regulations. Only the columns and the beam ends need to be erected closer to the side property line than allowed so that automobiles using the carport will not knock down the columns. The actual roof will adhere to zoning regulations (roof eave may extend 2' into setback). The columns (4- 6 x 6 wood posts will need to be erected 2' from the PL to protect them from possible collision which is outside the curb defining the outer edge of a long existing drive in a SF3 - NP district.

(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Lena Lund with Austin Energy at 322-6587 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

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3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 2409 Riverside Farms Rd.

City, State & Zip Austin Texas, 78741

Printed Timothy Cross Phone 512-444-8880 Date 7/9/09

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 1303 Wilshire Blvd

City, State & Zip Austin Texas, 78722

Printed Laurie Rich Phone 512-936-8434 Date 7/9/09



BOARD OF ADJUSTMENT

C15-2005-0087
CASE#: 1303 WILSHIRE BLVD
ADDRESS: K24/K25
GRID: SUSAN WALKER
MANAGER:



1" = 200'



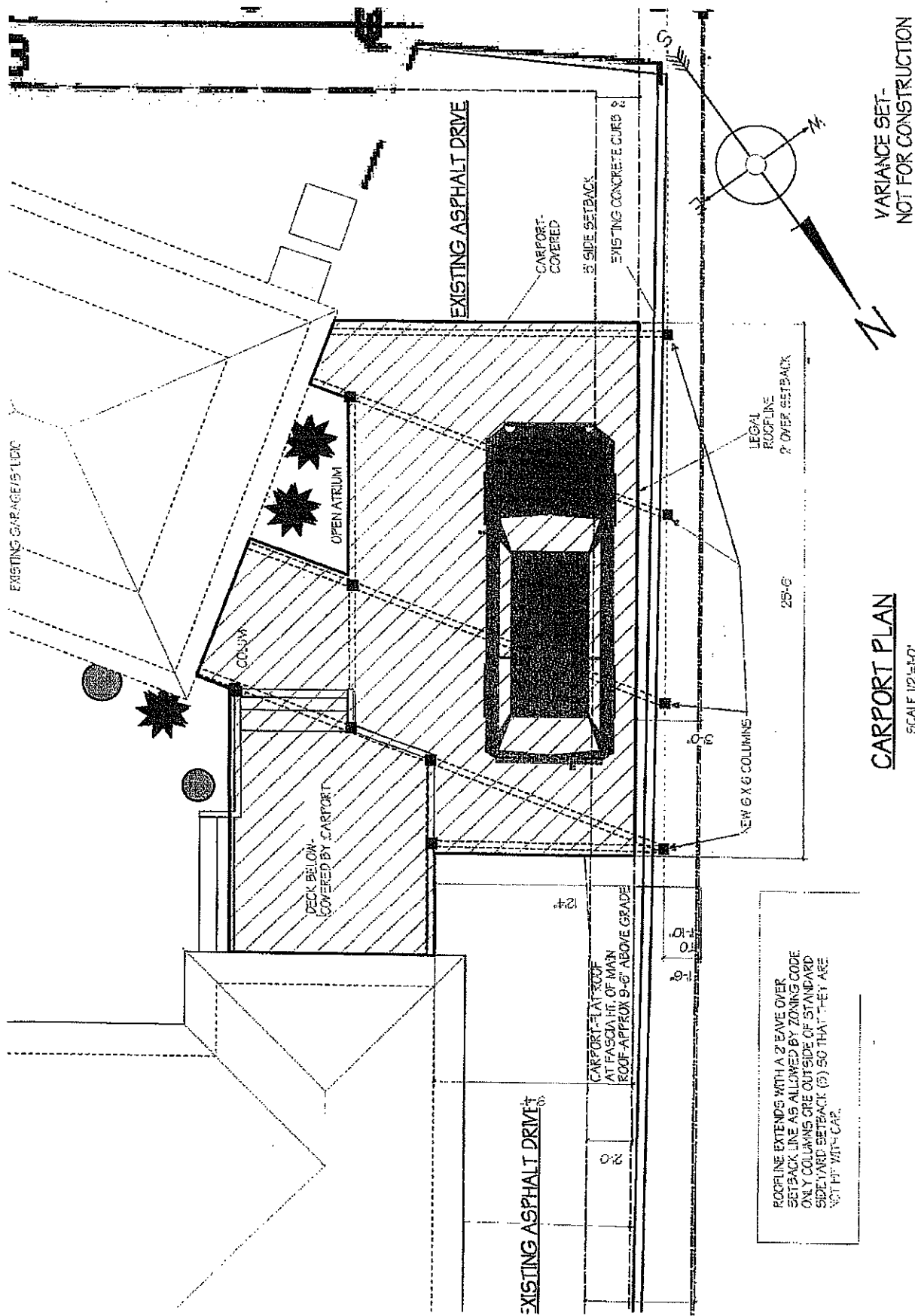
SUBJECT TRACT



ZONING BOUNDARY

OPERATOR: R.PARKER

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
No warranty is made by the City of Austin regarding specific accuracy or completeness.



CARPORT PLAN

SCALE 1/2"=1'-0"

VARIANCE SET-
NOT FOR CONSTRUCTION

CONFIDENTIAL

ROOFLINE EXTENDS WITH A 2' EAVE OVER
SETBACK LINE AS ALLOWED BY ZONING CODE.
ONLY COLUMNS ARE OUTSIDE OF STANDARD
SIDEYARD SETBACK (5') SO THAT THEY ARE
NOT HIT WITH CAP.

